

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

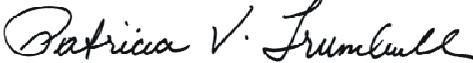
12 VICTOR TINOCO, ) Case No.: C 09-03363 PVT  
13 Plaintiff, )  
14 v. )  
15 WACHOVIA BANK, et al., )  
16 Defendants. )  
\_\_\_\_\_  
**ORDER SETTING DEADLINE FOR PARTIES  
TO FILE EITHER A “CONSENT TO  
PROCEED BEFORE A UNITED STATES  
MAGISTRATE JUDGE,” OR ELSE A  
“DECLINATION TO PROCEED BEFORE A  
UNITED STATES MAGISTRATE JUDGE AND  
REQUEST FOR REASSIGNMENT”**

On August 10, 2009, defendant Citimortgage, Inc. moved to strike portions of the first amended complaint pursuant to Rule 12(f) and moved to dismiss pursuant to Rule 12(b)(6). This case has been assigned to a Magistrate Judge. Before the court takes any action on the motions, the court must determine whether or not all of the parties who have appeared consent to Magistrate Judge jurisdiction, or whether any of the parties request reassignment to a District Judge. Therefore

IT IS HEREBY ORDERED that no later than August 28, 2009, each party who has not already done so shall file either a “Consent to Proceed Before a United States Magistrate Judge,” or else a “Declination to Proceed Before a United States Magistrate Judge and Request for Reassignment.” Both forms are available from the clerk of the court, or from the Forms (Civil)

1 section of the court's website at www.cand.uscourts.gov.

2 Dated: August 17, 2009



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4 PATRICIA V. TRUMBULL  
United States Magistrate Judge

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